

Appl. No. 09/764,622  
Attorney Docket No. P12683/27943-00397USP1  
EUS/J/P/05-6115

### **REMARKS/ARGUMENTS**

#### **1.) Claim Rejections – Double Patenting**

In a telephone conference on July 7, 2005, Examiner Brian Nguyen rejected claim 11 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over U.S. Patent No. 6,775,266. The present application and U.S. Patent No. 6,775,266 are commonly owned by the Assignee, Telefonaktiebolaget LM Ericsson (publ). An assignment, which assigns ownership to the Assignee of U.S. Patent No. 6,775,266, was recorded in the USPTO on August 30, 1999, at reel/frame 010201/0860.

The Applicants have filed a Terminal Disclaimer herewith to overcome this rejection. An authorization to charge Deposit Account No. 50-1379 for the Terminal Disclaimer fee under 37 C.F.R. 1.20(d) is enclosed.

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### CONCLUSION

In view of the foregoing remarks, the Applicants believe all of the claims currently pending in the Application to be in a condition for allowance. The Applicants, therefore, respectfully request that the Examiner withdraw all rejections and issue a Supplemental Notice of Allowance for all pending claims.

The Applicants request a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

  
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Date: July 7, 2005

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